

# Beer, Wine & Spirits Tasting Events

## Public Tasting Events:

These restrictions apply to all events open to the public, including invitation only fund-raising events, regardless of whether the event is held at a regular on-premises licensed establishment such as a Class C or at a venue licensed with a Special License. These restrictions do not apply to trade tastings for industry members only that are not open to the public.

- All alcoholic beverage-tasting events must be held at an on-premises licensed account. Such venues must be licensed with a regular on-premises license (Class C, Tavern, B-Hotel, A-Hotel) or a 24-hour license (Special License) issued to a non-profit organization.
- All alcoholic liquor sold and consumed at tasting events must be sold and distributed through the normal distribution channels. Beer & wine must be sold by the wholesaler or Wine Maker to the retailer at the prices posted with the Commission. If a third party, such as a radio station is hosting the tasting event, they may then purchase the beverages from the retailer. Licensed suppliers and wholesalers are prohibited from purchasing alcoholic beverages used for public tastings, except that a licensed salesperson may purchase a drink for consumers in accordance with Rule 436.1865 that allows **1 drink for 1 customer for beer and 1 drink for each customer for wine or spirits**.
- Under no circumstances may any person donate alcoholic beverages for any tasting event. Licensed suppliers and wholesalers are prohibited from giving anything of value to any retail licensee, including Special Licensees, except for standard table/booth rental fee as further described below.
- An individual may donate a bottle of wine for auction purposes only to a charitable event that has obtained a Special License for a wine auction. A licensed wholesaler or supplier may not donate wine for such a charitable auction, however, an individual (including owners and salespersons) may donate wine for a charitable auction.
- Licensed Salespersons of suppliers and wholesalers may **not** pour or serve alcoholic beverages at a public tasting event, including charitable fund-raises licensed under Special Licenses. This pouring and serving prohibition does not apply to trade shows whose attendees are members of the alcoholic beverage industry.
- Licensed Salespersons of suppliers and wholesalers may attend public tasting events to discuss their products and may pass out literature about their products but are prohibited from pouring or serving alcoholic liquor to the general public.
- Unused alcoholic beverages not consumed at a public tasting may **not** be returned to the wholesaler or supplier.
- Consumers attending tastings may not be offered an unlimited number of drinks for one admittance price. Consumers should either pay for each tasting or the admission price should include a specified number of tastings per consumer, controlled by drink tickets, punch card or other means which allow for monitoring the number of servings.
- Suppliers and wholesalers may pay for table or booth rental for public tastings. Fees paid for table/booth rental must be nondiscriminatory and consistent for all participants. Wholesalers and suppliers may not share the cost of table/booth rental.

## Private Trade Tastings:

These restrictions apply to all trade show type events that are by invitation only to alcoholic beverage industry members. These events should not be open to the general public.

- All alcoholic liquor tasting events must be held at an on-premises licensed account. Such venues must be licensed with a regular on-premises retail license (Class C, Tavern, B-Hotel, A-Hotel) or a 24-hour license (Special License) issued to a non-profit organization.
- All alcoholic liquor sold and consumed at tasting events must be sold and distributed through the normal distribution channels. Beer & wine must be sold by the wholesaler or Wine Maker to the retailer at the prices posted with the Commission. The sponsoring supplier or wholesaler may purchase the alcoholic liquor back from the host retailer for sampling by invited trade members.
- Under no circumstances may any person donate alcoholic beverages for any tasting event. Licensed suppliers and wholesalers are prohibited from giving anything of value to any retail licensee, except for standard room rental.
- Licensed Salespersons of suppliers and wholesalers may pour and serve wine at private trade tasting events.
- Unused alcoholic beverages not consumed in a private trade tasting may be returned to the licensed wholesaler. Unopened products not used for trade tastings may be treated as product returns and wholesalers may refund to retailers for these product returns.
- Suppliers and wholesalers may pay for room, table or booth rental for trade tastings. Fees paid for such rental must be nondiscriminatory and consistent for all participants. Wholesalers and suppliers may not share the cost of table/booth rental.